

DOCKET NO.: INDE-3041

#4  
6/18/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andre W. Grasso

Examiner: Mccarry Jr., Robert J.

Serial No.: 09/818,113

Art Unit: 3617

Filed: 03/27/2001

For: **THREE-DIMENSIONAL LABEL FOR A CONTAINER AND METHOD OF  
FORMING THE SAME**

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Commissioner for Patents  
Washington D.C. 20231

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JUN 17 2002

GROUP 3600

Response to Restriction Requirement

Sir:

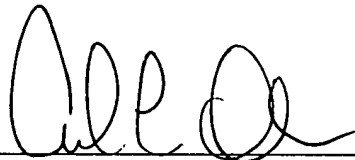
In response to the Restriction Requirement dated May 24, 2002, Applicant hereby provisionally elects Group I, claims 1-11, drawn to a three dimensional label, classified in class 40. This election is made with traverse, and Applicant hereby reserves the right to file a divisional application in connection with unelected claims 12-16, drawn to the method of making a three dimensional label, classified in class 156.

With regard to the Restriction Requirement, Applicant respectfully submits that the subject matter of all claims 1-16 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicant

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respectfully submits that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits" (emphasis added). Applicant respectfully submits that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Should the Examiner require or request anything further from Applicant prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below. Otherwise, Applicant requests early and favorable examination on the merits.



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Arlen L. Olsen  
Reg. No. 37,543

Dated: June 4, 2002

Schmeiser, Olsen & Watts  
3 Lear Jet Lane, Suite 201  
Latham, New York 12110  
(518) 220-1850

3617



**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
**INDE-3041**

In Re Application of: **Andre W. Grasso**

Serial No.	Filing Date	Examiner	Group Art Unit
09/818,113	03/27/2001	McCarry Jr., Robert J.	3617

Title: **THREE-DIMENSIONAL LABEL FOR A CONTAINER AND METHOD OF FORMING THE SAME**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

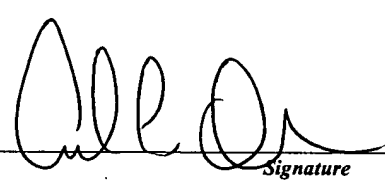
Transmitted herewith is:

**Response to Restriction Requirements (2 pages)**

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JUN 17 2002  
**GROUP 3600**

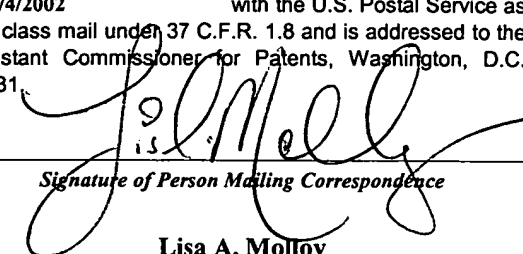
in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **19-0513** as described below. A duplicate copy of this sheet is enclosed.
  - ☐ Charge the amount of \_\_\_\_\_
  - ☐ Credit any overpayment.
  - ☒ Charge any additional fee required.

  
Signature

Dated: **June 4, 2002**

**Arlen L. Olsen**  
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I certify that this document and fee is being deposited on 6/4/2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
	
Signature of Person Mailing Correspondence	
Lisa A. Molloy	
Typed or Printed Name of Person Mailing Correspondence	

CC: